



BARNES & THORNBURG

11 South Meridian Street  
Indianapolis, Indiana 46204  
(317) 236-1313  
(317) 231-7433 Fax

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Group: 3739  
Confirmation No.: 6811  
Application No.: 09/785,715  
Invention: TISSUE TREATMENT METHOD  
Applicant: W. Gregory Chernoff  
Filed: February 16, 2001  
Attorney  
Docket: 6631-27092  
Examiner: Ahmed M. Farah

Certificate Under 37 CFR 1.8(a)

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on December 12, 2005  
Kim Tyree  
(Signature)

(Printed Name) Kim Tyree

**RESPONSE**

Mail Stop Amendment  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, Virginia 22313-1450

Sir:

The following remarks are submitted in response to the Official Action dated September 12, 2005.

The Examiner rejected claims 1, 2, and 4-12 under 35 U. S. C. § 103. The Examiner relied upon the combination of Kushner, U.S. Patent 5,741,509 (hereinafter Kushner), Lee, U. S. Patent 5,552,162 (hereinafter Lee) and Tankovich U. S. Patent 5,897,549 (hereinafter Tankovich) to support this rejection.

The Examiner concedes that neither Kushner nor Lee teaches a method of treating a scar using a laser. The September 12, 2005 official action, page 2. The Examiner concludes, however, that it would have been obvious to one having ordinary skills in the art, at the time of Applicant's invention, "to modify Kushner in view of Lee and in view of Tankovich to use lasers instead of Lee's X-ray irradiation in order to treat the scars and avoid the potential skin cancer of the X-ray therapy." Id. at page 3.